



PLANNING & ZONING REPORT

Zoning Board of Appeals Meeting of June 22, 2022

File # 031-22

APPLICANT: William Caldwell

LOCATION: 6588 Spring Brook Road

REQUESTED ACTION: A Special Use Permit for a Planned Unit Development for a pet grooming facility, dog bar, new vehicle storage building, new parking lot and a bar building in an R-3, Multi-family Residential Zoning District.

EXISTING USE: Former Swim club, concession, kitchen, tennis club, playground

PROPOSED USE: Pet grooming, indoor dog park, bar, vehicle storage building and parking lot

DIMENSIONS: See attached Exhibit D.

ADJACENT ZONING AND LAND USES:

NORTH:	R-1;	Single family residences
EAST:	R-1;	Single family residences
SOUTH:	R-3;	Gymnastic Academy of Rockford
WEST:	R-3;	Harbor East Apartments, Vacant land

YEAR 2020 PLAN: PE Existing (Quasi-) Public Facility

SOILS REPORT: Report #22-59: SWCD Comments:

Erosion Concerns

The proposed land use of this site is pet grooming, dog park, dog bar facility. It is currently a swim/tennis club that is zoned R-3. Soil disturbance will occur as a result of developing the site, which is slightly sloping and maybe susceptible to erosion. The area of disturbance will be greater than one acre, so an IEPA NPDES permit will be required; as well as any City/County Permit requirements.

Soil disturbance can create soil erosion which must be properly managed to prevent adverse environmental impacts. Erosion from construction sites is a leading cause of water quality problems in Illinois. Problems caused by this sediment include:

- Increased flooding- Sediment build-up lowers the flow capacity of channels causing more frequent flooding in areas that rarely or never flooded before
- Financial burden to taxpayers-Sediment that finds its way into streets, storm sewers, and ditches result in additional maintenance costs for local, state and federal governments

- Water quality impairment-Sediment laden runoff transfers nutrients and other pollutants to downstream lakes and rivers degrading aquatic habitats and increasing costs for water treatment.

Simple but effective controls include preserving existing trees and grass where possible, using silt fence to trap sediment on the down slope sides of the area of disturbance, using a gravel drive used by all vehicles to limit tracking of mud onto streets, cleaning up sediment carried off-site by vehicles or storms, installing curb inlet controls, using downspout extenders to prevent roof runoff from eroding exposed soil, locating soil piles away from any roads or waterways, and reseeding or sodding the site as soon as possible. The materials (silt fence, stakes, gravel entrance, inlet controls, and grass seed) are easy to find and relatively inexpensive.

The Illinois Urban Manual is a resource of practices used throughout the State and can be processed at <http://www.aiswcd.org/ium/>. The concept of these practices can be carried over to good housekeeping measures after development occurs and buildings are occupied to prevent stormwater runoff from being contaminated.

Surface and Groundwater Contamination from Heavy Equipment and Vehicle Traffic

There will be several vehicles moving and stored on the site. Most of these vehicles are heavy-duty pieces of equipment, with high capacity fuel tanks and large hydraulic oil reservoirs. Due to bedrock being at or near the soil surface, absorbents should be readily available in the event of a spill or leak to promptly contain hazards that would otherwise be environmentally harmful to groundwater recharge areas. Personnel should be properly trained to contain and clean up any spills. They should periodically check for indications of leaks or spills under or around vehicles and fix issues to prevent further contamination.

Properly label, store and dispose of all fluids and other hazardous chemicals to avoid environmental contamination. Keep storage containers off the ground to avoid stormwater contamination. Any fuel storage areas should be properly located away from high traffic areas; and have secondary containment. Prevent stormwater from washing contaminants off the site in the event of a storm. Contaminants on impermeable surfaces (concrete, asphalt, rooftops, etc.) will wash off with rain and will eventually make its way into drainage ways which go directly to natural surface water areas (ditch, creek, river, etc.) without treatment. Avoid washing impermeable surfaces off with a hose, but rather use a broom and dispose of waste versus having contaminants wash off the site.

Pet Waste

Proper disposal of pet waste is an important aspect when having pets. Animal waste is an environmental pollutant. In 1991, it was labeled a non-point source pollutant by the Environmental Protection Agency (EPA), placing it in the same category as herbicides and insecticides; oil, grease and toxic chemicals. Pet waste can contaminate ground and surface waters by leaching or running off. Bacteria, nitrate, and E. Coli can reach drinking water which cause illnesses to humans. Nutrients, like nitrogen and

phosphorus, from animal waste contaminates surface water and creates eutrophication that leads to hypoxic zones.

When fed a diet that meets their nutritional needs, pet waste applied to soil as a composted or raw product can be beneficial. However, it is important to keep in mind that pet waste needs to be managed properly to avoid overloading soil nutrients and potentially contaminating waterways.

Pet waste also creates aversive smells. Animal waste can be considered an air pollutant releasing ammonia and hydrogen sulfide. These hazardous fumes can cause health issues.

Stream Corridor

A stream corridor refers to rivers, creeks, streams and the adjacent areas that water influences. Streams are among the most important natural resources, their complex ecosystem provides habitat for diversity of species. Stream corridors have great social, cultural, and environmental value. Healthy streams create critical habitat for fish and wildlife, water for recreational activities and help filter out pollutants. Streams surrounded by a healthy mix of vegetation including grasses, shrubs and trees buffer the effects of surrounding land.

Streams and their surrounding areas can be damaged very quickly, but it often takes much time and effort to repair the damage. Whether it is a natural event or a human induced activity, disturbances bring changes to stream corridors. Disturbances place stress on the stream and have the potential to alter its structure and impair its ability to perform key ecological functions.

Urban development is one of the leading causes of stream degradation. Development increases the amount of stormwater runoff because of impervious surfaces such as parking lots like in the northern half of the site. Increased amounts of impervious surfaces reduce the amount of water washing pollutants away with it.

Contaminated stormwater runoff can reach local water resources if not properly managed. Removing plant buffers along streams prevents vegetation from filtering out pollutants and holding the soil in place. Maintain the vegetation within the stream corridor for protection against degradation.

Rusty Patch Bumble Bee: The U.S. Fish and Wildlife Service listed the rusty patched bumble bee as endangered under the Endangered Species Act. Endangered species are animals and plants that are in danger of becoming extinct. The rusty patch bumble bee is a pollinator that lives in prairies and grasslands which are one of the last species to go into hibernation. They need areas that provide nectar and pollen from flowers, nesting sites (underground), and overwintering sites for hibernating queens (undisturbed soil).

Many factors have led to the rust patch bumble bee becoming an endangered species. Most of prairies and grasslands of the Upper Midwest and Northeast have been converted to monoculture farms or developed areas,

such as cities and roads. Grasslands that remain tend to be small and isolated. Increases in farm size and technology advances improved the operating efficiency of farms but have led to practices that harm bumble bees, including increased use of pesticides, loss of crop diversity which results in flowering crops being available for only a short time, loss of hedgerows and the flowers that grew there, and the loss of legume pastures.

There is numerous programs, research, and groups working towards helping the rusty patch bumble bee. Some things you can do to help include having flowering plants, providing natural areas with native plants, and minimize the use of pesticides and chemical fertilizer.

Native Plantings

Native plants like grasses and flowers provide critical habitat for many key species like the Rusty Patch Bumble Bee and Monarch Butterflies. These deep-rooted native species are preferred because of their abilities to enhance soil permeability and pollutant filtering and their reduced needs for fertilizer, herbicides, irrigation, and mowing. Unfortunately, loss and degradation due to the development of the land and an invasion of exotic species is a serious problem in Illinois.

HISTORY:

There is no relevant recent history in the immediate area.

REVIEW COMMENTS:

The Applicant is requesting a Special Use Permit for a Planned Unit Development for a pet grooming facility, dog bar, new vehicle storage building, new parking lot and a bar building in an R-3, Multi-family Residential Zoning District. The subject property is located on the north side of Spring Brook Road and north of the Gymnastic Academy of Rockford (GAR).

The subject property consists of the former Dolphin Swim and Tennis Club. The property is about 7.43 acres in size. The building has been vacant and the Applicant is looking to open up a pet grooming facility. The property is zoned R-3, Multi-family Residential and a pet grooming facility would not be a permitted use. For that reason, the Applicant is requesting the Special Use Permit for a Planned-Unit Development.

Exhibit D is a site plan including existing and future expansion of the facility. The site plan is not to scale. The proposal shows a 32' by 120' storage garage that would be constructed on the east side of the property. Additional parking would be provided between the existing building and the proposed storage garage. The plan shows 15-20 new parking spaces would be added. The site plan shows the perimeter of the property will be fenced in but the type of fence material and height was not disclosed. Two berms are shown on the east side of the site, one to the south of the proposed storage garage and one to the north. The outdoor area would be 90' by 90' and the bar with the indoor park area would be 50' by 90'.

Exhibit E is the site plan that is still under work with Hagney Architects. This is only a rough sketch. This plan is subject to change based on professional opinion and budget. The exhibit is color coded with black being the proposed new parking lot, dark green areas are the proposed buffers with plant material to act as a sound barrier, purple and gray is the

vehicle storage building, orange is the building addition for the bar and indoor park, and the blue and red areas are the outdoor swimming and play areas.

Exhibit F is the business plan provided by the Applicant. The business is known as Fur On the Fly and is owned by William and Emma Caldwell. The business started five years ago and it went from one salon to nine. There are over 12 employees. The business owners believe that there is a need to establish a facility where customers can feel comfortable taking their pets to enjoy themselves and be in a safe, clean, friendly and social environment. The subject property is over 7 acres in size and has plenty of room for this type of enjoyment and away from the adjacent residents. The business has provided services to over 7,500 residents. This property will have the ability to have the construction of a storage garage for the mobile service vehicles. The business hours would be Monday through Friday 9:00 a.m. to 5:00 p.m. (grooming), 1:00 p.m. to 9:00p.m. (bar), Saturday 12:00 p.m. to 9:30 p.m. (bar) and Sunday 12:00 p.m. to 6:00 p.m. (bar). All the dog grooming would be done indoors.

Exhibit G are examples of what this proposal could look like including sound barriers. There is a proposal to add a berm with evergreen trees to help with buffering sound. The proposed fencing with fabric material is not permitted. Any proposed fencing should be solid site obscuring fencing.

Exhibit H is the Finding of Facts provided by the Applicant. The Applicant indicates that the facility will have fencing between 10-12 feet in height to help secure the pets. Staff would like to note that fence heights within residential zoning districts are limited to six-feet in height. A local waste company will be hired to discard any excess waste to help keep the environment clean. Staff will be cleaning regularly to stop any odor before it become an issue. The pool will be used for the pet enjoyment. The building design will be metal building with brick to fit with the existing facility. The existing trees will be preserved to help with the sound barriers and appearance of the property. The Applicant will ensure that the property meets the recommendations of an architect.

Exhibit I is the service calls for the last two years. The service dates ranged from May 25, 2020 to May 25, 2022. There was a total of one service call. The reported offense was alarm.

Staff has concerns with this proposal and the proximity to residential. There are concerns with the noise coming from the facility and a concentration of barking dogs. Staff also has concerns with the interaction of dogs, potential fighting between dogs and the interactions of the owners when these fights occur especially when you add alcohol to the mix. Additionally, the expansion of this facility will create more traffic to this site. Staff is unsure if this facility and GAR have a parking and/or access agreement and how it affects future use of this property. The GAR facility also has a karate school business that utilizes the rear parking lot as well. This additional information is critical in making sure that the businesses will not have issues with parking and access. For these reasons, staff does not support this request.

RECOMMENDATION: Staff recommends **DENIAL** of a Special Use Permit for a Planned Unit Development for a pet grooming facility, dog bar, new vehicle storage building, new parking lot and a bar building in an R-3, Multi-family Residential Zoning District.

SC: BM 06/14/22

**FINDINGS OF FACT FOR DENIAL OF A SPECIAL USE PERMIT FOR A PLANNED UNIT
DEVELOPMENT FOR A PET GROOMING FACILITY, DOG BAR, NEW VEHICLE
STORAGE BUILDING, NEW PARKING LOT AND A BAR BUILDING
AN R-3, MULTI-FAMILY ZONING DISTRICT
LOCATED AT 6588 SPRING BROOK ROAD**

Denial of this Special Use Permit for a PUD is based upon the following findings:

1. The establishment, maintenance or operation of the Special Use Permit for a PUD will be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The Special Use Permit for a PUD will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use for a PUD will impede the normal or orderly development and improvement of the surrounding property for uses permitted in the R-3 District.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
5. Adequate measures will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use for a PUD does not conform to the applicable regulations of the R-3 District in which it is located.

ROCK VALLEY

BURLWOOD

Exhibit A
6588 Springbrook Road
SUP
#031-22

R1

R1

R1

R3

N

SPRING BROOK

TRAINER

REID FARM

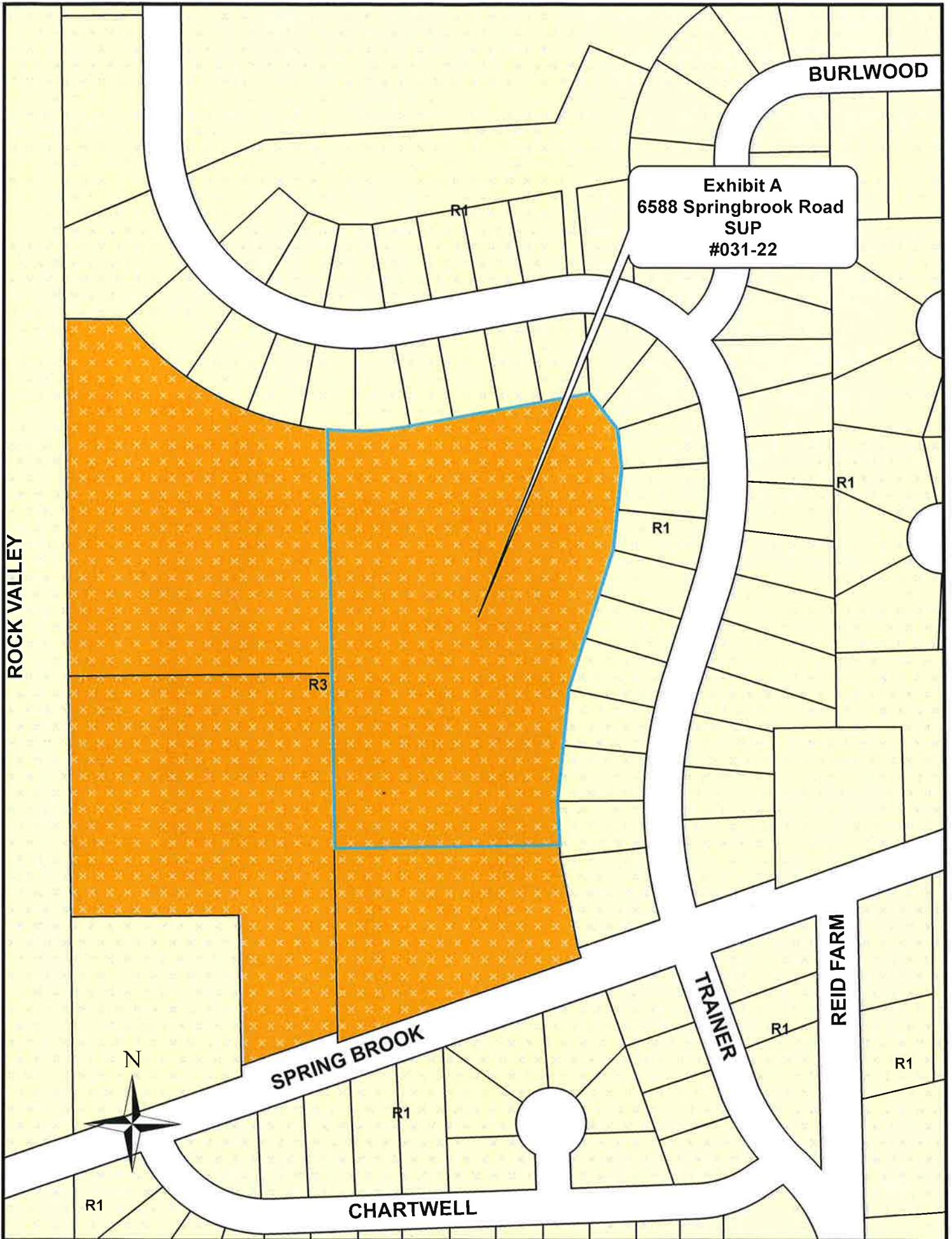
R1

R1

R1

CHARTWELL

R1



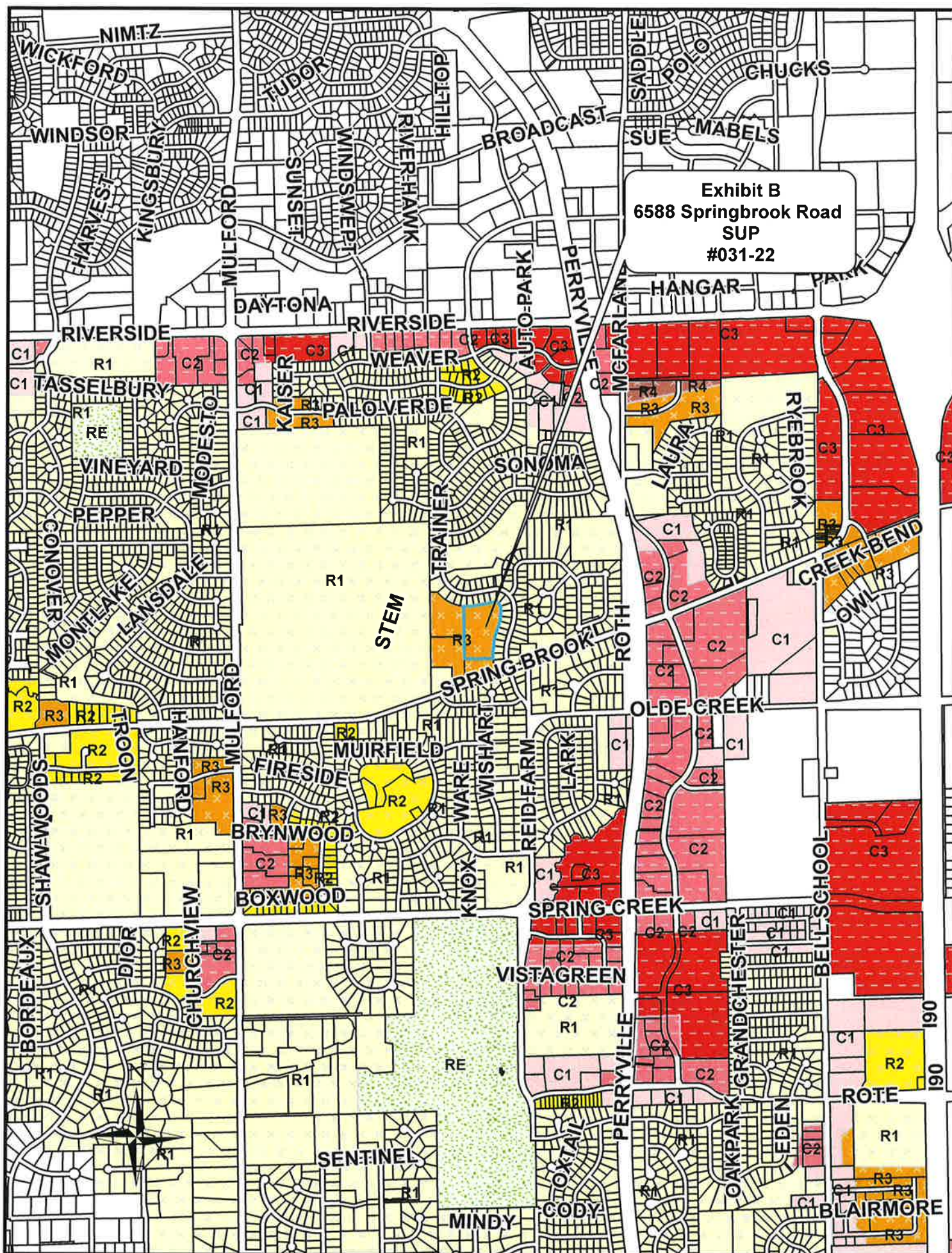




Exhibit C
6588 Springbrook Road
SUP
#031-22

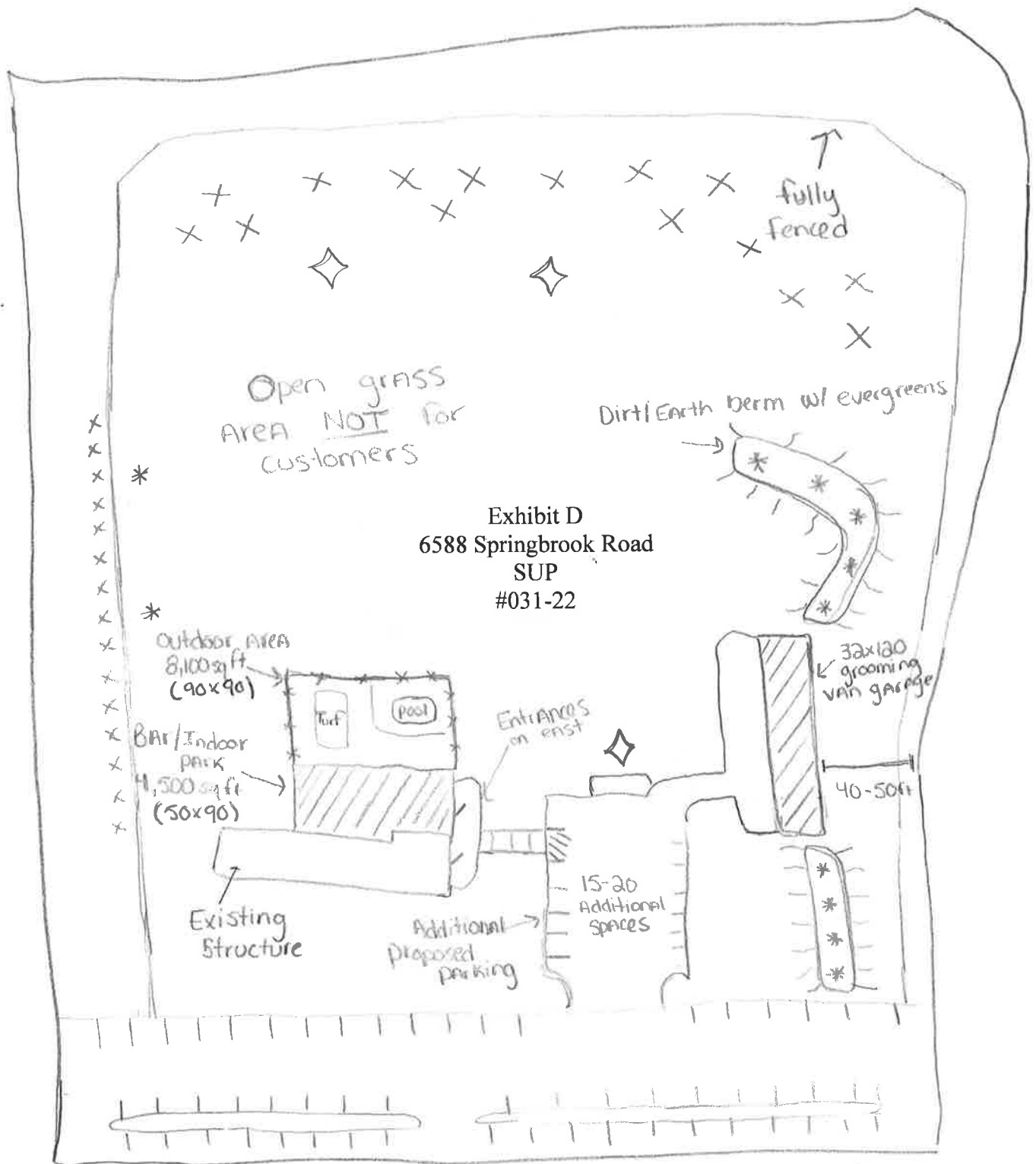


Exhibit D
6588 Springbrook Road
SUP
#031-22

* - evergreen trees

X - privacy screen trees

◇ - maple/oak/similar tree

⌋ - Earth mound/Berm

440-460ft

North



East 733 ft

South

393 ft

West
700-720ft

Existing Building Setbacks

North - 520-600ft

South - Appx 140ft

East - 200ft

West - 70ft

SITE PLAN (The site plan is still under work with Hagney Architects, LLC) We will include a rough sketch that may have some dimensional changes after more thorough professional opinions/budgeting. All dimensions given are subject to some change as the official site plan is prepared. No residence will be closer than 200ft away from the back of the building with a majority being over 400ft away.



Site Breakdown

Black area- Extended parking lot to allow for 15-20 additional parking spaces and make building ADA accessible.

Dark Green area- On the east side closest to the building residences are 200-300ft away. We will install earthen berms here to stay aesthetically pleasing and have a place to plant buffering material that will double as an additional sound barrier.

Purple and Gray area- The purple area will be a simple vehicle storage building approx 4,080 sq ft (34-120) or under to accommodate the mobile grooming vans. Gray area is concrete leading to the building.

Orange area- This area is the new addition to the building which will house the dog bar and indoor dog park areas. This portion of the building would be approx (50ftX90ft) Entrance will now be on the east of the building rather than the south.

Blue and Red areas- These areas are the outdoor areas which include a play area and a sectioned off swimming area for nice weather. (90ftX90ft)

Exhibit E
6588 Springbrook Road
SUP
#031-22

FUR THE FLY

MOBILE PET GROOMING

Who are we?

William and Emma, owners, have spent the last 5 years growing and operating a mobile pet grooming company in the greater Rockford area, going from one salon to nine with over 12 employees, earning the respect of our community through hard work and dedication. This document will cover all aspects of our proposed project and which we hope the committee will find suitable for the location we feel will best serve the community, not only for their pet care needs but also for more long-term employment opportunities.

Find Out More About Us - Furontheflymobile.com

Questions about this document? Will-815-985-4930



Dog Bar & Indoor Dog Park Concept

Exhibit F
6588 Springbrook Road
SUP
#031-22

Why is this the right **time** and **place** for our idea?

Fur on the fly has grown tremendously through the pandemic, there has been a large increase in demand for pet related services due to the uptick in pet ownership over the pandemic. As we all know, pet ownership is a long-term commitment and conscious pet owners are looking for ways to spoil their pet and not slow down the busy lifestyle they want to live. We are looking to create a service that the community can enjoy and rely on for years to come.

Problem: As we try to find ways to work, stay social and incorporate our love for our animals it can be stressful to balance. Some customers described a fear of going to dog parks alone, without trusted people around.

Solution: Fur on the fly's indoor dog park and bar will be the solution for which many of the area's pet owners have been waiting for; we will provide a Safe, Clean, Friendly, Social environment for both two and four-legged customers. You no longer have to sacrifice time out with friends after work and bear the regret of leaving your pet home alone even longer.

Location, Location, Location

6588 Springbrook Rd.

Because this property boasts over 7 acres there will be plenty of room between the outdoor patio area on the bar and the neighboring residents. The success of a business has much to do with its location, for a business that will be geared towards busy, working people, it is vital that we're close to home. The idea is you come home after work and head right over with your pup to relax while your pet gets their daily exercise and you can have peace of mind knowing you can get back home quickly, easily incorporating the use of the facility on a regular basis.



FUR THE FLY

MOBILE PET GROOMING

The fur on the fly's dog bar will be a way for our current clientele and new to gain access to a high-quality pet service that can be relied upon. We have taken care of over 7,500 of the area's pet population and that number grows by the day! Our current operation of mobile pet grooming will continue and also be housed on the property. We will also be looking to create a place for the nightly storage of our mobile grooming vehicles to keep them warm and away from the elements. Our mobile grooming vehicles do business at our customer's homes during the day and return back at the end of the day. More information on this portion of the business is available on our website.



Operations & Hours

Dog Bar & Grooming

Operational hours

Monday-Friday 9am-5pm (Grooming) 1pm-9pm (Bar)

Saturday 12pm-930pm (Bar)

Sunday 12pm-6pm (Bar)



Dog Grooming

All dog grooming will take place indoors and will not create any issues in relation to our sound and sight mitigations outdoors.



Example Concept Videos

What does a dog bar look like?

- ▶ Unique Dog Park Bar, Midtown Houston, #NeighborhoodSpotlight #movemetotx
- ▶ Two Shepherds Taproom - Tampa's Dog Bar and Park + Dog Yoga!
- ▶ Dog Park Bars Are the Next Big Thing



Exhibit G
6588 Springbrook Road
SUP
#031-22



Unedited Sound Video of a FULL dog bar/park

What's a dog park sound like?

<https://www.youtube.com/watch?v=YnwX9W6Bh9U>

▶ Atlanta's Dog bar FETCH | how dogs should be treated (Skip along in the video to see the action at the park, this video is to show how minimal pets bark at a dog bar when their owners are around)

Why are Dog Bars not as loud as dog parks or dog care facilities?

Simple Answer... Because the pet parent is around! Dogs tend to stay near their owners when they are enjoying the play area, when dogs are comfortable they tend to not bark to gain attention. Most dog bars, including ours, will have staff on hand at all times in the indoor and outdoor areas to ensure safe play, no excessive barking and for pet waste management.

Will there be rules?

Of course!

- Registered in our system.
- Up-to-date on Vaccinations:
 - *Proof of vaccinations: Rabies, Canine Distemper/Parvo (DHPP) and Kennel Cough (Bordetella)*
 - *Puppies must be at least 16 weeks old and fully vaccinated for DHPP and Bordetella (Note that puppies less than five months old will need to receive their rabies vaccine by five months of age to continue coming to the dog bar)*
- Spayed or Neutered (if over 6 months of age).
- Free from fleas & ticks.
- Must wear a flat quick-release collar (no prong, pinch, electric, chain, or choke collars).
- Hound & Human friendly.
- On leash when entering and exiting the facilities.
- Bullying, cornering, fighting, excessive snarling, mounting, biting, bleeding or excessive barking means it's time to head home.

What if you do not have a dog?

That's okay! Come and enjoy the space anyways! There is no fee to enter for humans, only the pups!

More common questions and answers will be provided in the zoning package!

Sound Barriers and Site Plan

In the past, many pet businesses were pushed aside by local governments and deemed too noisy to function in urban environments. We've made huge technological advances since those times and now cities all over the country are adopting pet friendly businesses in the urban jungle. One reason these changes are made possible are outdoor sound barrier solutions. A part of our investment in the property is our extensive sight and sound mitigation plans. Unlike the swim club, which neighbors can attest to its fair share of noise, we will install sound barrier fencing around the outdoor play area which will be the only place our patrons are allowed to enjoy. We will also be heavily planting all sides of the property to buffer between any residential uses as well as install earth berms on the east side of the property to ensure no noise will linger in that direction. The berms mentioned will also be planted on the top to add further buffers.

Here are some examples of the Buffer, Earth Berm and Outdoor sound blocking we'll use.

<https://acoustiblok.com/acoustiblok-commercial-soundproofing/acoustiblok-project-examples-2/>



Findings of Fact

We have done extensive research on the implications of facilities that are operating in a similar way to our proposal, giving us the knowledge of what questions could be potentially brought up as concerns and how we can rectify them before becoming a problem.

- A. The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare**

As current pet care professionals, we understand what it takes to create a healthy and safe environment. Our pet care facility is designed to the latest standards of not only hygiene but the safety of pets and employees as well. Potential hazards to be addressed are; adequate site fencing, waste removal, and odors. Here's how these things will be addressed.

- Bar-Play area fencing will be 10-12 foot non-scalable fencing to prevent any pets from escaping.
- Our local waste management company will be contracted for frequent visits to discard any excess waste to keep the environment free of any accumulated waste.
- Keeping smells away requires a proactive cleaning regime. Our staff will be swift in cleaning up any liquid or solid waste in the play areas to stop any odor before it's a problem.

Exhibit H
6588 Springbrook Road
SUP
#031-22



(We will be keeping the kiddie pool and repurpose it for the dogs enjoyment)

Findings of Fact

- A. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood;

To make sure our company remains an asset to the community and its property values, our appearance is near the top of the list of priorities above it would be what the neighborhood can see and hear. All of which are covered in our general plan and will be handled as follows;

- Our building design will fit the general appeal of what is around it and we will avoid designs that could be unfavorable to the neighbors. We will follow the guidelines and the local building codes so our facility meets or exceeds those expectations. Our plan is to use a pole building structure that will blend into this currently commercial community environment.

Exterior addition example.

Metal Building w/Brick



- We will allow nature to work in our favor, keeping all trees in place that can be kept. This will create our facility to not look or feel intrusive.
- Planting of fast growing buffering trees on all sides creates additional sight and sound barriers.

VERY IMPORTANT! The bar play area fencing will be solid material and will be encased with outdoor soundproofing material on all sides. The product can be found on this website.

<https://acoustiblok.com/acoustiblok-soundproofing-product-lines/acoustifence-noise-reducing-fences/>

Findings of Fact

D. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided;

The property has current access to utilities and will be suitable for our application. Additional drainage will be provided in the architectural planning portion of this project and will meet or exceed the drainage standards based on parking area created and building dimensions.

E. Adequate measures have been, or will be taken, to provide ingress or egress so designed as to minimize traffic congestion in the public streets; and

F. The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

Our company and its operation will have minimal impact on the public streets. We have taken into consideration the swim club's former use and have used that as a determining factor on why this roadway can handle the use our company would have on it. Because we will be adding additional parking to make the building more accessible, particularly for ADA compliance, we are certain our use will not result in this area becoming congested.



Call Number	Event Date	Location	Situation Reported
20-059298	2020-10-28T10:04:32	6588 Spring Brook Rd	ALARM - HOLDUP/PANIC

Exhibit I
6588 Springbrook Road
SUP
#031-22